

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

AMBER GASCHO, et al.,
On behalf of themselves and all
others similarly situated

Plaintiffs,

v.

GLOBAL FITNESS HOLDINGS, LLC,

Defendant.

Case No. 2:11-cv-436

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Norah McCann King

ORDER

This matter came before the Court for a telephone conference on August 21, 2017 regarding Defendant Global Fitness Holdings, LLC's *Motion to Set a Supersedeas Bond Amount, Stay the Outcome Pending Appeal, and Conduct an Expedited Telephonic Conference*. (ECF No. 264.) At the telephone conference held on the record, the Court **GRANTED in part** Defendant's Motion according to the following terms:

- Enforcement of the judgement against Global Fitness and its individual Managers will be stayed for an additional seven (7) days, in addition to the fourteen days provided under Rule 62(a), to allow Defendant to obtain and post a bond. Accordingly, the judgment will not be executed upon until August 29, 2017.
- Defendant shall post a supersedeas bond in the amount of \$2,650,000 pursuant to Rule 62(d), which will operate to further stay execution of the judgment pending outcome of the Defendant's and Managers' appeal to the Sixth Circuit.
- Once the bond is posted, the asset freeze imposed under the Court's preliminary injunction order will be lifted.

Also at the telephone conference, the Court granted Defendant's request to use LLC

assets to satisfy two tax obligations it owes for \$1233.63 and \$25.00 in light of the asset freeze, which Plaintiffs did not oppose.

Plaintiffs further agreed to submit records detailing the amount of attorney's fees sought in support of their *Motion for Award of Attorney's Fees and Related Nontaxable Expenses* (ECF No. 263), so that any disputed portions of that motion may be joined with the other issues currently on appeal to the Sixth Circuit.

IT IS SO ORDERED.

8-11-2017
DATE



EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE